

# House Study Bill 566

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
EDUCATION/BOARD OF  
EDUCATIONAL EXAMINERS BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the time for investigation and resolution of  
2 complaints accepted by the board of educational examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5140DP 81  
5 kh/sh/8

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1 1 Section 1. Section 272.2, subsection 15, Code 2005, is  
2 amended to read as follows:  
1 3 15. Adopt rules that require specificity in written  
1 4 complaints that are filed by individuals who have personal  
1 5 knowledge of an alleged violation and which are accepted by  
1 6 the board, provide that the jurisdictional requirements as set  
1 7 by the board in administrative rule are met on the face of the  
1 8 complaint before initiating an investigation of allegations,  
1 9 provide that any investigation be limited to the allegations  
1 10 contained on the face of the complaint, provide for an  
1 11 adequate interval between the receipt of a complaint and  
1 12 public notice of the complaint, permit parties to a complaint  
1 13 to mutually agree to a resolution of the complaint filed with  
1 14 the board, allow the respondent the right to review any  
1 15 investigative report upon a finding of probable cause for  
1 16 further action by the board, require that the conduct  
1 17 providing the basis for the complaint occurred within three  
1 18 years of discovery of the event by the complainant unless good  
1 19 cause can be shown for an extension of this limitation, and  
1 20 require investigation of complaints to be resolved and  
1 21 determination of probable cause by the board within one  
1 22 hundred ~~eighty~~ twenty days unless good cause can be shown for  
1 23 an extension of this limitation.

## 1 24 EXPLANATION

1 25 This bill eliminates the time by which the board of  
1 26 educational examiners must resolve a written complaint filed  
1 27 by an individual who has knowledge of an alleged violation of  
1 28 regulations imposed on teachers and other educational  
1 29 practitioners. Currently, the Code requires that complaints  
1 30 be resolved within 180 days. The bill requires that the board  
1 31 investigate such complaints and determine probable cause  
1 32 within 120 days. Under both the current Code and the bill, if  
1 33 good cause can be shown, the limitations set may be extended.  
1 34 LSB 5140DP 81  
1 35 kh:nh/sh/8